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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Applicants : Thomas J. Perkowski, et al.
Application Serial No.: 10/602,990
Filing Date: June 24, 2003
Title: INTERNET-BASED BRAND MARKETING
COMMUNICATION NETWORK ALLOWING MEMBERS OF
A BRAND MANAGEMENT TEAM TO COMMUNICATE
DIRECTLY WITH CONSUMERS SHOPPING ALONG EC-
ENABLED WWW-SITES, AND SERVICED BY
PROGRAMMABLE MULTI-MODE VIRTUAL KIOSKS
(MMVKS) DRIVEN BY SERVER-SIDE COMPONENTS AND
MANAGED BY BRAND MANAGEMENT TEAM MEMBERS
AND/OR AUTHORIZED PARTIES
Examiner : Jeffrey D. Carlson
Group Art Unit : 3622
Attorney Docket No. : 100-059USA000

Honorable Commissioner of Patents
and Trademarks
Washington, DC 20231

SUPPLEMENTAL RESPONSE TO OFFICE ACTION

Sir:

In supplemental response to the Office Action mailed August 30, 2007 in the present Application, Applicants hereby submit a Terminal Disclaimer for filing in the same, in order to avoid any possible basis for rejection under the judicially-created obviousness-type double patenting doctrine in view of copending U.S. Application No. 09/695,744.

The present invention defined by Claims 31-75 is firmly believed to be neither anticipated by, nor rendered obvious in view of the prior art of record, and that the present application is now in condition for allowance.

The Commissioner is hereby authorized to charge any fee deficiencies to Deposit Account 16-1340.

Respectfully submitted,

Dated: March 13, 2008

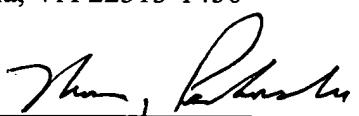


Thomas J Perkowski, Esq.
Attorney for Applicant
Reg. No. 33,134
Thomas J. Perkowski, Esq., P.C.
Soundview Plaza
1266 East Main Street
Stamford, Connecticut 06902
203-357-1950
<http://www.tjpatlaw.com>

CERTIFICATE OF MAILING UNDER
37 C.F.R. 1.8

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P.O. Box 1450
Alexandria, VA 22313-1450



Thomas J Perkowski, Esq.

Date: March 13, 2008

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Washington, DC 20231

Honorable Commissioner of Patents
and Trademarks
Washington, DC 20231

TERMINAL DISCLAIMER (37 CFR 1.321(c))

Sir:

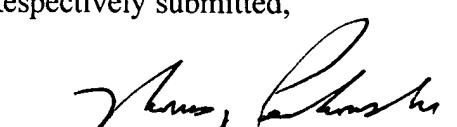
Your Petitioner, Metrologic Instruments, Inc., represents that it is the sole owner of the entire interest of the above-identified application.

Your Petitioner hereby provisionally disclaims the terminal period of any patent issuing on the above-referenced application that would extend beyond the expiration of the full statutory term of any patent that issues from copending U.S. Application No. 09/695,744. Your Petitioner also hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to such patent is the same as the legal title to copending U.S. Application No. 09/695,744, and that this agreement shall run with any patent so granted on the above-referenced application, and shall be binding upon the grantor, its successors, and assigns.

Your Petitioner does not disclaim any terminal part of any patent granted on the above-referenced application prior to the expiration date of the full statutory term of said U.S. Patent derived from copending U.S. Application No. 09/695,744 in the event that such patent later: expires for failure to pay a maintenance fee; is held unenforceable; is found invalid; is statutorily disclaimed in whole or terminally disclaimed under 37 C.F. R. Section 1.321(a); has all claims canceled by a reexamination certificate; or is otherwise terminated prior to the expiration of its full statutory term, except for a separation of legal title as stated above.

This Terminal Disclaimer is being signed under the provisions of 37 C. F. R. Section 1.321(b)(1)(iv). The Commissioner is hereby authorized to charge the requisite fee of \$65.00 for a small entity, as well as any fee deficiencies to Deposit Account 16-1340. A copy of this document is attached hereto.

Respectively submitted,



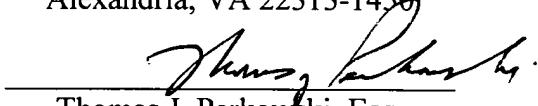
Thomas J. Perkowski, Esq.
Reg. No. 33,134
Attorney for Applicant
Thomas J. Perkowski, Esq., P.C.
Soundview Plaza
1266 East Main Street
Stamford, Connecticut 06902
203-357-1950
<http://www.tjpatlaw.com>

Dated: March 13, 2008

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Alexandria, VA 22313-1450


Thomas J. Perkowski, Esq.
Reg. No. 33,134
Dated: March 13, 2008



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AND/OR AUTHORIZED PARTIES
Examiner : Jeffrey D. Carlson
Group Art Unit : 3622
Attorney Docket No. : 100-059USA000

Honorable Commissioner of Patents

and Trademarks

Box DAC

Washington, DC 20231

CERTIFICATE UNDER 37 C.F.R §3.73(b)

IPF, Inc., a corporation of Delaware, certifies that it is the Assignee of the entire right, title, and interest in the patent application identified above by virtue of a chain of title from the inventors to BKS Networks, Inc. by virtue of a first Assignment recorded in the USPTO on October 27, 2004 at Reel 15297 and Frames 162-168, and a chain of title from BKS Networks, Inc. to the current Assignee, IPF, Inc., by virtue of the Assignment recorded in the USPTO on March 4, 2008 at Reel 20592 and Frames 493-502. Copies of the Patent Assignments is attached hereto.

IPF, Inc. also certifies that it is the Assignee of the entire right, title, and interest in U.S. Application No. 09/695,744, by virtue of a chain of title from the inventor, Thomas J. Perkowski, to the current Assignee, IPF, Inc., by virtue of the Assignment recorded in the USPTO on September 27, 2001 at Reel 12229 and Frames 297-300. A copy of the Patent Assignment for 09/447,121 is attached hereto.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the Assignee identified above.

The undersigned, whose title is supplied below, is empowered to act on behalf of the Assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

Date: March 13, 2008



Thomas J. Perkowski, Esq.
Attorney for Applicant
Reg. No. 33,134
Thomas J. Perkowski, Esq., P.C.
Soundview Plaza
1266 East Main Street
Stamford, Connecticut 06902
203-357-1950
<http://www.tjpatlaw.com>

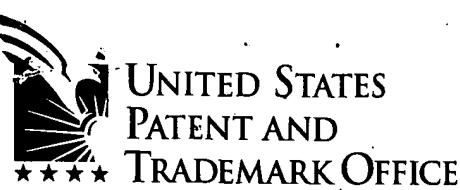
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P.O. Box 1450
Alexandria, VA 22313-1450



Thomas J. Perkowski, Esq.
Reg. No. 33,134
Date: March 13, 2008



DECEMBER 11, 2001

PTAS

THOMAS J. PERKOWSKI, ESQ., P.C.
THOMAS J. PERKOWSKI, ESQ.
SOUNDVIEW PLAZA
1266 EAST MAIN STREET
STAMFORD, CT 06902

Under Secretary of Commerce For Intellectual Property and
Director of the United States Patent and Trademark Office
Washington, DC 20231
www.uspto.gov



101871824A

UNITED STATES PATENT AND TRADEMARK OFFICE
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PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE,
ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY,
SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 09/27/2001

REEL/FRAME: 012229/0297

NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

PERKOWSKI, THOMAS J.

DOC DATE: 06/05/2001

ASSIGNEE:

IPF, INC., A CORPORATION OF
CONNECTICUT
1266 EAST MAIN STREET
SOUNDVIEW PLAZA
STAMFORD, CONNECTICUT 06902

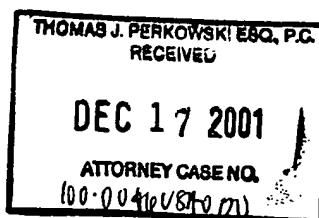
SERIAL NUMBER: 09695744

FILING DATE: 10/24/2000

PATENT NUMBER:

ISSUE DATE:

SHAREILL COLES, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS



Attorney Docket: 100-046USA000

PATENT ASSIGNMENT

For value received I, Thomas J. Perkowski, hereby sell, assign and transfer to IPF, Inc., having a place of business at Soundview Plaza, 1266 East Main Street, Stamford, Connecticut 06902 and a state of incorporation in Connecticut, as assignee, and its successors, assigns and legal representatives, the entire rights, title and interest, for all countries in and to certain inventions disclosed in U.S. Application Serial Number 09/695,744 entitled "INTEGRATED METHOD OF AND SYSTEM FOR ENABLING MANUFACTURERS, ADVERTISERS, RETAILERS, AND PROMOTERS TO MANAGE AND DELIVER CONSUMER PRODUCT RELATED INFORMATION, ADVERTISEMENTS AND PROMOTIONS TO CONSUMERS IN PHYSICAL AND ELECTRONIC SHOPPING ENVIRONMENTS", filed October 24, 2000, for Letters Patent of the United States, and all the rights and privileges under any and all Letters Patent that may be granted therefor.

I request that any and all patents for said invention be issued to said assignee, its successors, assigns and legal representatives, or to such nominees as it may designate.

I agree that, when requested, I will, without charge to said assignee but at its expense, sign all papers, take all rightful oaths, and do all acts which may be necessary, desirable or convenient for securing and maintaining patents for said inventions in any and all countries and for vesting title thereto in said assignee, its successors, assigns and legal representatives or nominees.

I authorize and empower said assignee, its successors, assigns and legal representatives or nominees, to invoke and claim for any application for patent or other form of protection for said invention filed by it or them, the benefit of the right of priority provided by the International Convention for the Protection of Industrial Property, as amended, or by any convention which may henceforth be substituted for it, and to invoke and claim such right of priority without further written or oral authorization from me.

I hereby consent that a copy of this assignment shall be deemed a full legal and formal equivalent of any assignment, consent to file or like document which may be required in any country for any purpose and more particularly in proof of the right of the said assignee or nominee to claim the aforesaid benefit of the right of priority provided by the International Convention for the Protection of Industrial Property, as amended, or by any convention which may henceforth be substituted for it.

I covenant with said assignee, its successors, assigns and legal representatives, that the rights and property herein conveyed are free and clear of any encumbrance, and that I have full right to convey the same as herein expressed.

Signed at Stamford, Connecticut
this 5th day of June, 2001

Thomas J. Perkowski (L.S.)
Thomas J. Perkowski

State of Connecticut)
) ss:
County of Fairfield)



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231



OCTOBER 28, 2004

PTAS

700126371A

PERKOWSKI, THOMAS J.
1266 EAST MAIN STREET
STAMFORD, CT 06902

UNITED STATES PATENT AND TRADEMARK OFFICE
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RECORDATION DATE: 10/27/2004

REEL/FRAME: 015297/0162
NUMBER OF PAGES: 6

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

PERKOWSKI, THOMAS J.

DOC DATE: 10/12/2004

ASSIGNOR:

MUCHHAL, VAIBHAVA

DOC DATE: 10/12/2004

ASSIGNOR:

KENNEDY, KATHERINE

DOC DATE: 10/18/2004

ASSIGNOR:

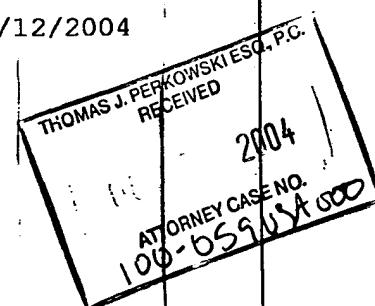
ULLOA, FERNANDO, JR.

DOC DATE: 10/12/2004

ASSIGNOR:

O'HARA, KATHLEEN

DOC DATE: 10/12/2004



015297/0162 PAGE 2

ASSIGNEE:

BKS NETWORKS, INC.
1266 EAST MAIN STREET
STAMFORD, CONNECTICUT 06902

SERIAL NUMBER: 10602990

PATENT NUMBER:

TITLE: INTERNET-BASED BRAND MARKETING COMMUNICATION INSTRUMENTATION
NETWORK FOR DEPLOYING, INSTALLING AND REMOTELY PROGRAMMING BRAND-
BUILDING SERVER-SIDE DRIVEN MULTI-MODE VIRTUAL KIOSKS ON THE WORLD
WIDE WEB (WWW), AND METHODS OF BRAND MARKETING COMMUNICATION
BETWEEN BRAND MARKETERS AND CONSUMERS, USING THE SAME

FILING DATE: 06/24/2003

ISSUE DATE:

JEFFREY OLSEN, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

PATENT ASSIGNMENT

For value received we, Thomas J. Perkowski, Vaibhava Muchhal, Katherine Kennedy, Fernando Ulloa, Jr. and Kathleen O'Hara, hereby sell, assign and transfer to BKS Networks, Inc., having a place of business at 1266 East Main Street, Stamford, Connecticut 06902 and a state of incorporation in Delaware, as assignee, and its successors, assigns and legal representatives, the entire rights, title and interest, for all countries in and to certain inventions disclosed in U.S. Application Number 10/602,990 entitled "INTERNET-BASED BRAND MARKETING COMMUNICATION INSTRUMENTATION NETWORK FOR DEPLOYING, INSTALLING AND REMOTELY PROGRAMMING BRAND-BUILDING SERVER-SIDE DRIVEN MULTI-MODE VIRTUAL KIOSKS ON THE WORLD WIDE WEB (WWW), AND METHODS OF BRAND MARKETING COMMUNICATION BETWEEN BRAND MARKETERS AND CONSUMERS USING THE SAME", filed June 24, 2003, for Letters Patent of the United States, and all the rights and privileges under any and all Letters Patent that may be granted therefor.

We request that any and all patents for said invention be issued to said assignee, its successors, assigns and legal representatives, or to such nominees as it may designate.

We agree that, when requested, we will, without charge to said assignee but at its expense, sign all papers, take all rightful oaths, and do all acts which may be necessary, desirable or convenient for securing and maintaining patents for said inventions in any and all countries and for vesting title thereto in said assignee, its successors, assigns and legal representatives or nominees.

We authorize and empower said assignee, its successors, assigns and legal representatives or nominees, to invoke and claim for any application for patent or other form of protection for said invention filed by it or them, the benefit of the right of priority provided by the International Convention for the Protection of Industrial Property, as amended, or by any convention which may henceforth be substituted for it, and to invoke and claim such right of priority without further written or oral authorization from us.

We hereby consent that a copy of this assignment shall be deemed a full legal and formal equivalent of any assignment, consent to file or like document which may be required in any country for any purpose and more particularly in proof of the right of the said assignee or nominee to claim the aforesaid benefit of the right of priority provided by the International Convention for the Protection of Industrial Property, as amended, or by any convention which may henceforth be substituted for it.

We covenant with said assignee, its successors, assigns and legal representatives, that the rights and property herein conveyed are free and clear of any encumbrance, and that we have full right to convey the same as herein expressed.

Patent Assignment in favor of
Metrologic Instruments, Inc.
Application No. 10/602,990

Signed at Stamford, Connecticut
on this day of October 12, 2004

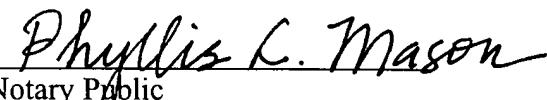


Thomas J. Perkowski (L.S.)

Thomas J. Perkowski

State of Connecticut)
) ss:
County of Fairfield)

This day before me personally appeared THOMAS J. PERKOWSKI, who acknowledged the foregoing instrument and subscribed by him to be his free act and deed.



Phyllis L. Mason
Notary Public

PHYLIS L. MASON
NOTARY PUBLIC
MY COMMISSION EXPIRES JULY 31, 2004

Signed at Stamford, Connecticut
on this day of October 12, 2004.

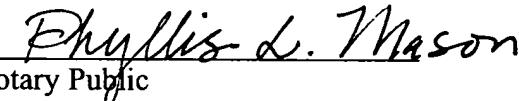


Vaibhava Muchhal (L.S.)

Vaibhava Muchhal

State of Connecticut)
) ss:
County of Fairfield)

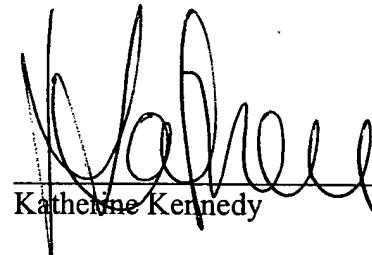
This day before me personally appeared VAIBHAVA MUCHHAL, who acknowledged the foregoing instrument and subscribed by him to be his free act and deed.



Phyllis L. Mason
Notary Public

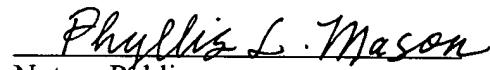
Patent Assignment in favor of
Metrologic Instruments, Inc.
Application No. 10/602,990

Signed at Stamford, Connecticut
on this day of October 18, 2004


Katherine Kennedy (L.S.)

State of Connecticut)
) ss:
County of Fairfield)

This day before me personally appeared KATHERINE KENNEDY, who acknowledged the foregoing instrument and subscribed by him to be his free act and deed.


Phyllis L. Mason
Notary Public

PHYLLIS L. MASON
NOTARY PUBLIC
MY COMMISSION EXPIRES JULY 31, 2005

Signed at Stamford, Connecticut
on this day of OCTOBER 12th, 2004


Fernando Ulloa, Jr. (L.S.)

State of Connecticut)
) ss:
County of Fairfield)

PHYLLIS L. MASON
NOTARY PUBLIC
MY COMMISSION EXPIRES JULY 31, 2005

This day before me personally appeared FERNANDO ULLOA, JR., who acknowledged the foregoing instrument and subscribed by him to be his free act and deed.


Phyllis L. Mason
Notary Public

Patent Assignment in favor of
Metrologic Instruments, Inc.
Application No. 10/602,990

Signed at Stamford, Connecticut
on this day of October 12, 2004.

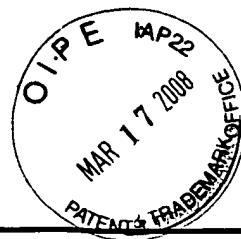
Kathleen O'Hara (L.S.)
Kathleen O'Hara

State of Connecticut)
) ss:
County of Fairfield)

This day before me personally appeared KATHLEEN O'HARA, who acknowledged the foregoing instrument and subscribed by him to be his free act and deed.

Phyllis L. Mason
Notary Public

PSL - PHYLIS L. MASON
NOTARY PUBLIC
MY COMMISSION EXPIRES JULY 31, 2006



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE



MARCH 04, 2008

700362505A

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THOMAS J. PERKOWSKI, ESQ., PC
1266 EAST MAIN STREET
STAMFORD, CT 06902

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RECORDATION DATE: 03/03/2008

REEL/FRAME: 020592/0493

NUMBER OF PAGES: 9

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
BKS NETWORKS, INC.

DOC DATE: 03/03/2008

ASSIGNEE:
IPF, INC.
1266 EAST MAIN STREET
STAMFORD, CONNECTICUT 06902

SERIAL NUMBER: 10602990

FILING DATE: 06/24/2003

PATENT NUMBER:

ISSUE DATE:

TITLE: INTERNET-BASED BRAND MARKETING COMMUNICATION INSTRUMENTATION
NETWORK FOR DEPLOYING, INSTALLING AND REMOTELY PROGRAMMING BRAND-
BUILDING SERVER-SIDE DRIVEN MULTI-MODE VIRTUAL KIOSKS ON THE WORLD
WIDE WEB (WWW), AND METHODS OF BRAND MARKETING COMMUNICATION
BETWEEN BRAND MARKETERS AND CONSUMERS USING THE SAME

020592/0493 PAGE 2

ASSIGNMENT SERVICES BRANCH
PUBLIC RECORDS DIVISION

PATENT ASSIGNMENT

For value received, BKS Networks, Inc., as Assignor, having a place of business at 1266 East Main Street, Stamford, Connecticut 06902 and a state of incorporation in Delaware, hereby sells, assigns and transfers to IPF, Inc., Assignee, having a place of business at 1266 East Main Street, Stamford, Connecticut 06902 and a state of incorporation in Connecticut, and its successors, assigns and legal representatives, the entire rights, title and interest, for all countries in and to certain inventions disclosed in U.S. Application Number 10/602,990 entitled "INTERNET-BASED BRAND MARKETING COMMUNICATION NETWORK ALLOWING MEMBERS OF A BRAND MANAGEMENT TEAM TO COMMUNICATE DIRECTLY WITH CONSUMERS SHOPPING ALONG EC-ENABLED WWW-SITES, AND SERVICED BY PROGRAMMABLE MULTI-MODE VIRTUAL KIOSKS (MMVKS) DRIVEN BY SERVER-SIDE COMPONENTS AND MANAGED BY BRAND MANAGEMENT TEAM MEMBERS AND/OR AUTHORIZED PARTIES", filed June 24, 2003, for Letters Patent of the United States, and all the rights and privileges under any and all Letters Patent that may be granted therefor.

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Assignor hereby authorizes and empowers said Assignee, its successors, assigns and legal representatives or nominees, to invoke and claim for any application for patent or other form of protection for said invention filed by it or them, the benefit of the right of priority provided by the International Convention for the Protection of Industrial Property, as amended, or by any convention which may henceforth be substituted for it, and to invoke and claim such right of priority without further written or oral authorization from Assignor.

Assignor hereby consents that a copy of this assignment shall be deemed a full legal and formal equivalent of any assignment, consent to file or like document which may be required in any country for any purpose and more particularly in proof of the right of the said Assignee or nominee to claim the aforesaid benefit of the right of priority provided by the International Convention for the Protection of Industrial Property, as amended, or by any convention which may henceforth be substituted for it.

Assignor covenants with said Assignee, its successors, assigns and legal representatives, that the rights and property herein conveyed are free and clear of any encumbrance, and that Assignor has full right to convey the same as herein expressed.

Patent Assignment in favor of
IPF, Inc.
Application No. 10/602,990

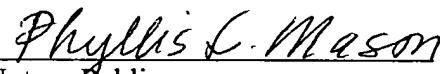
Signed at Stamford, Connecticut
on this day of March 3, 2008



Thomas J. Perkowski (L.S.)
President and CEO
BKS Networks, Inc. (Assignor)

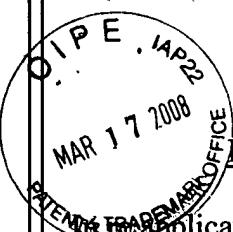
State of Connecticut)
) ss:
County of Fairfield)

This day before me personally appeared THOMAS J. PERKOWSKI, who acknowledged the foregoing instrument and subscribed by him to be his free act and deed.



Phyllis L. Mason
Notary Public

PHYLLIS L. MASON
Notary Public
My Commission Expires July 31, 2011



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

Applicants : Thomas J. Perkowski, et al.
Application Serial No.: 10/602,990
Filing Date: June 24, 2003
Title: INTERNET-BASED BRAND MARKETING
COMMUNICATION NETWORK ALLOWING MEMBERS OF
A BRAND MANAGEMENT TEAM TO COMMUNICATE
DIRECTLY WITH CONSUMERS SHOPPING ALONG EC-
ENABLED WWW-SITES, AND SERVICED BY
PROGRAMMABLE MULTI-MODE VIRTUAL KIOSKS
(MMVKS) DRIVEN BY SERVER-SIDE COMPONENTS AND
MANAGED BY BRAND MANAGEMENT TEAM MEMBERS
AND/OR AUTHORIZED PARTIES
Examiner : Jeffrey D. Carlson
Group Art Unit : 3622
Attorney Docket No. : 100-059USA000

Honorable Commissioner for Patents
and Trademarks
Washington, DC 20231

CERTIFICATE UNDER 37 C.F.R. § 3.73(b)

Sir:

As an authorized officer of BKS Networks, Inc., I, Thomas J. Perkowski, hereby certify that BKS Networks, Inc., is the Assignee of the entire right, title and interest in the Patent Application identified above by virtue of the Assignment from the inventors of the Patent Application identified above, which Assignment was recorded in the Patent and Trademark Office on October 27, 2004 at Reel 15297/ Frames 162-168. A copy of the Notice of Recordation of Assignment is attached hereto.

I have reviewed all the documents in the chain of title of the Patent Application identified above and, to the best of my knowledge and belief, title is in the Assignee identified above.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: March 3, 2008



Thomas J. Perkowski, President
BKS Networks, Inc.
Assignee of Record